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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,235	09/25/2003	Vikram Rai	3-1	8243

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Docket Administrator (Room 3J-219)  
Lucent Technologies Inc.  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER
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ZEWDU, MELESS NMN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/671,235	<b>Applicant(s)</b> RAI ET AL.	
	<b>Examiner</b> Meless N. Zewdu	<b>Art Unit</b> 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/25/03</u> . | 6) <input type="checkbox"/> Other: ____  |

### **DETAILED ACTION**

1. This action is the first on the merit of the instant application.
2. Claims 1-24 are pending in this action.

### ***Claim Objections***

Claim 17 is objected to because of the following informalities: the word data is mistaken for date (see line 14). Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claims 10 and 21, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d). In this regard, both of the above claims include the phrase "an SMS or an SMS-like signaling channel". Examiner is not clear, particularly what the phrase "an SMS-like signaling channel" includes or does not include.

***Claim Rejections - 35 USC § 103***

Claims 1-2, 4-9, 11, 16, 18-20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop et al. (Bishop) (US 5,563,931) in view of Hanson (US 6,868,074 B1).

**As per claim 1:** Bishop teaches a method in a public wireless communications system (see fig. 1; abstract) comprising:

at a mobile terminal (see fig. 1, element 39; col. 9, lines 33-37);

in response to a triggering event (see col. 7, lines 35-37), transmitting on a signaling channel (see col. 9, lines 49-67; col. 19, lines 9-23) on the wireless communication system (see abstract) information that comprises, information that identifies the mobile terminal (see col. 9, lines 33-39). But, Bishop does not explicitly teach about transmitting previously stored user-specific information, as claimed by applicant. However, in a related field of endeavor, Hanson teaches about a mobile data device that is capable of storing and transmitting user-specific information (user medical history) to a 911 dispatch center (see abstract; col. 2, lines 6-17). When the references are combined as shown above, the mobile terminal transmitted information would comprise information that identifies a destination of all the information (the previously stored user-specific information and the terminal identification information). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Bishop with that of Hanson for the advantage of

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providing static and dynamic vital sign information about a user of a data device to an emergency assistance provider (see col. 2, lines 55-61).

**As per claim 23:** the features of claim 23 are similar to the features of claim 1, except claim 22 is directed to a computer readable media embodying a program of instructions executable by a computer to perform the method steps of claim 1. Since, the method steps of claim 1 are taught/obviated, a computer readable media that performs those steps should be an obvious feature in the prior art. Hence, claim 23 is rejected on the same ground and motivation as claim 1.

**As per claim 11:** Bishop teaches a method in a public wireless communications system (see fig. 1; abstract) in which a mobile terminal (fig.1, elements 39 and 41) communicates on a signaling channel (control channel)(see col. 19, lines 9-23) with a mobile switching (MTSO) center (see fig. 1, element 31; col. 9, lines 33-48), the method comprising:

at a mobile switching center (see fig. 1; element 31; col. 9, lines 33-48);

receiving information on the signaling channel (see col. 9, lines 49-67; col. 19, lines 9-23), the information including an identifier indicating a destination of the information (see 14, lines 5-12);

determining if the indicated destination is a predetermined destination (see col. 13, lines 47-59; col. 14, lines 5-12);

if the indicated destination is the predetermined destination, forwarding the information to the predetermined destination (see col. 13, lines 47-59; col. 14, lines 5-12; col. 20, lines 8-15), the information comprising information from the mobile terminal

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that has been transmitted in response to a triggering event (see col. 7, lines 35-47), information that identifies the mobile terminal (see col. 9, lines 33-39). But, Bishop does not explicitly teach about transmitting previously stored user-specific information, as claimed by applicant. However, in a related field of endeavor, Hanson teaches about a mobile data device that is capable of storing and transmitting user-specific information (user medical history) to a 911 dispatch center (see abstract; col. 2, lines 6-17). When the references are combined as shown above, the mobile terminal transmitted information would comprise information that identifies a destination of all the information (the previously stored user-specific information and the terminal identification information). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Bishop with that of Hanson for the advantage of providing static and dynamic vital sign information about a user of a data device to an emergency assistance provider (see col. 2, lines 55-61).

**As per claim 24:** the features of claim 24 are similar to the features of claim 11, except claim 24 is directed to a computer readable media embodying a program of instructions executable by a computer to perform the method steps of claim 11. Since, the method steps of claim 11 are taught/obviated, a computer readable media that performs those steps should be an obvious feature in the prior art. Hence, claim 24 is rejected on the same ground and motivation as claim 11.

**As per claim 2:** Bishop teaches a method, wherein the information further comprises a geo-location of the mobile terminal (see abstract).

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**As per claim 16:** the feature of claim 16 is similar to the feature of claim 2. Hence, claim 16 is rejected on the same ground and motivation as claim 2.

**As per claim 4:** Hanson teaches a method wherein the information further comprises a digitized voice snippet/information of a user (see col. 4, line 64-col. 5, line 8, particularly col. 4, lines 5-8).

**As per claim 18:** the feature of claim 18 is similar to the feature of claim 4. Hence, claim 18 is rejected on the same ground and motivation as claim 4.

**As per claim 5:** Bishop teaches a method wherein the triggering event is an input entered by a user at the mobile terminal (see col. 7, lines 35-47).

**As per claim 6:** Hanson teaches a method wherein the triggering event is detecting an occurrence of a predetermined event external to the mobile terminal (see col. 2, lines 43-51; col. 3, line 65-col. 4, line 9).

**As per claim 7:** Hanson teaches a method wherein the destination indicates that the transmitted information is destined to a Public Safety Answering Point (PSAP) (see col. 2, lines 10-51), and the stored user specific information comprises user medical information (see abstract; col. 2, lines 3-17).

**As per claim 8:** Bishop teaches a method wherein the information further comprises a priority, the information being transmitted on the wireless communication system in accordance with the priority (see col. 10, lines 9-23). The switch receives instruction to bypass normal calls so as to accord priority to emergency calls.

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**As per claim 22:** the feature of claim 22 is similar to the feature of claim 8, except the destination of the information being transmitted is predetermined in claim 22, which is taught by Bishop (see col. 7, lines 35-47; col. 14, lines 5-12).

**As per claim 9:** Hanson teaches a method wherein the information is transmitted within at least one packet, the at least one packet having a header that indicates a destination for the information (see col. 4, line 37-col. 5, line 5). Furthermore, it is obvious that a packet includes a destination header so that it can be routed.

**As per claim 19:** Hanson teaches about a method wherein the received information comprises user medical information (see abstract; col. 3, lines 3-17), the predetermined destination is a Public Safety Answering Point (PSAP) (see col. 2, lines 3-17; col. 4, lines 23-37), and the received information is forwarded to a nearest PSAP (see col. 6, lines 59-67). Examiner considers the E911 dispatch center of the prior art as a Public Safety Answering Point (PSAP).

**As per claim 20:** the feature of claim 20 is similar to the feature of claim 9. Hence, claim 20 is rejected on the same ground and motivation as claim 9.

Claims 3 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop in view of Hanson as applied to claims 1 and 11 above, and further in view of Mathewson, II et al. (Mathewson) (US 2003/0018724 A1).

**As per claim 3:** Bishop in view of Hanson does not explicitly teach about a method wherein the transmitted information further comprises a time and date associated with the triggering event, as claimed by applicant. However, in a related field of endeavor, Mathewson teaches about handling of time sensitive electronic messages (e-mails) (see



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page 3, paragraph 0028) and events wherein a message creator/sender indicates/marks the time sensitivity of the message in terms of calendar date and time (see page 4, paragraphs 0042-0043). Furthermore, Mathewson indicates that the time sensitive message sending devices (user device) can include mobile terminals (see page 4, paragraph 0040). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was modify the above references (Bishop in view of Hanson) with the teaching of Mathewson for the advantage of providing improved techniques for handling time sensitive message and events (see page 2, paragraph 0016).

**As per claim 17:** the feature of claim 17 is similar to the feature of claim 3. Hence, claim 17 is rejected on the same ground and motivation as claim 3.

Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop in view of Hanson as applied to claims 1 and 11 above, and further in view of Joong et al. (WO 97/21314).

**As per claim 10:** Bishop in view of Hanson does not explicitly teach about transmitting (use of) an SMS signaling channel, as recited in claim 10. However, in a related field of endeavor, Joong teaches about a technique for a subscriber terminal who failed to seize voice connection to an emergency center transfers data message (SMS) to the center over a radio digital control channel (signaling channel) (see abstract; page 3, lines 5-12. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above reference (Bishop in view of Hanson) with the teaching of Joong for the advantage of forwarding a user's emergency call on a

radio digital control channel to an emergency center when the user fails to make a voice channel connection to the emergency center due to voice channel congestion (see page 3, lines 6-11).

**As per claim 21:** the feature of claim 21 is similar to the feature of claim 10. Hence, claim 21 is rejected on the same ground and motivation as claim 10.

Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop in view of Hanson as applied to claims 1 and 11 above, and further in view of Lauper (US 2002/0086659 A1). For examination purpose, claim 13 is considered first.

**As per claim 13:** Bishop in view of Hanson does not explicitly teach about a method wherein a received information is forwarded in an email message sent to an email address associated with the predetermined destination, as claimed by applicant. However, in a related field of endeavor, Lauper teaches about an emergency call system within a telecommunication network (fig. 1), wherein an emergency call message sent by a mobile device/user (fig. 1, element 10; page 2, paragraph 0022) is received by a mobile radio network (fig. 1, element 30; page 2, paragraph 0021), converted into a message of another type (e-mail, fax, voice) by a message conversion unit (fig. 1, element 20) so as to distribute the message to as many terminals of different types as possible (see page 2, paragraph 0028). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further modify the above references with the teaching of Lauper for the advantage of converting and forwarding emergency messages to terminals of different types provided in a list defined by emergency message users (see page 2, paragraphs 0034-0035, 0037).

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**As per claim 14:** Lauper teaches a method wherein received information is converted to a voice signal and is forwarded to a voice terminal at the predetermined destination or at a location associated with the predetermined destination on a data network to a data terminal (see page 2, paragraph 0028). Motivation is as provided in the rejection of claim 13 above.

**As per claim 15:** Lauper teaches a method wherein the received information is forwarded on a data network to a data terminal at the predetermined destination or at a location associated with the predetermined destination (see page 2, paragraph 0028). Note: an e-mail receiver requires a data terminal and a data network. Motivation is as provided in the rejection of claim 13 above.

**As per claim 12:** Bishop teaches that an emergency call, with a unique code inserted, can be placed on a cellular control channel (signaling channel) (see col. 19, lines 9-23) and be routed to an appropriate destination (see col. 19, lines 3-8). But, Bishop does not explicitly teach about a method wherein the received information is forwarded on the wireless communications system to a mobile terminal at or associated with the predetermined destination, as claimed by applicant. However, in a related field of endeavor, Lauper teaches about a method of forwarding received information (emergency call) on a wireless communications system to a plurality of mobile terminals at or associated with the predetermined destination (see fig. 1; page 2, paragraph 0028; page 3, paragraphs 0034-0035). Motivation is as provided in the rejection of claim 13 above.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless Zewdu



Examiner

21 August 2005.